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May 25, 2022

**VIA ECF**

Hon. Paul G. Gardephe, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

**Re: Everytown for Gun Safety Action Fund, Inc. v. Defcad, Inc., No. 21-cv-8704 (PGG)**

**DEFENDANTS' SUPPLEMENTAL LETTER IN FURTHER SUPPORT OF  
EMERGENCY LETTER MOTION TO ADJOURN PRELIMINARY INJUNCTION  
HEARING AND EXTEND TIME FOR SUPPLEMENTAL SUBMISSIONS**

Dear Judge Gardephe:

We represent defendants Defcad, Inc., Phillip Royster, Defcad User xYeezySZN, Odysee User xYeezySZN, The Gatalog, Defcad User Freeman1337, and Twitter User xYeezySZN.

Please accept this letter in further support of Defendants' Emergency Letter Motion to Adjourn Preliminary Injunction Hearing and Extend Time for Supplemental Submissions, filed with the Court yesterday.

I write to inform the Court that this morning I tested positive for Covid-19 and was diagnosed with mild to moderate symptomatic disease. As such, I am required to isolate for at least five days and my symptoms have me spending most of my time resting in bed.

In addition to all of the reasons presented in our initial moving papers yesterday, this new development plainly entitles the Defendants to the relief requested.

Thank you for your attention in this regard.

Hon. Paul G. Gardephe, U.S.D.J.

May 25, 2022

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Respectfully submitted,

/s/ Daniel L. Schmutter

DANIEL L. SCHMUTTER

DLS/ar

cc: Marcella Ballard, Esq. (via ECF)